



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

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November 19, 2002

**CERTIFIED MAIL
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RETURN RECEIPT REQUESTED**

NOTICE OF PAST VIOLATION

Enthone, Inc.
144 Harvey Road
Londonderry, NH 03053

Attn: Mr. Joe Santolicito, President

**Re: Enthone, Inc.
Londonderry, New Hampshire
EPA ID No. NHD 500003280**

Dear Mr. Santolicito

On October 23, 2002, the Department of Environmental Services, Waste Management Division (DES) conducted an inspection of Enthone, Inc. (Enthone). The purpose of the inspection was to determine Enthone's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection and review of the information provided to DES, the following deficiencies were documented:

Env-Wm 509.02(a)(1) – Inspection Requirements

A review of Enthone's hazardous waste storage area inspection checklists revealed that the date of repairs or remedial actions is not documented.

Env-Wm 509.02(a)(1), which references 40 CFR 265.15, requires full quantity generators to conduct and document inspections of the facility, including hazardous waste storage areas. The inspections are required to be recorded in a log which includes the area being inspected, the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of the repairs or other remedial actions taken.

DES requests that Enthone amend the inspection checklist to reflect all of the requirements of 40 CFR 265.15.

On October 24, 2002, Ms. Carolyn Perez submitted an amended inspection checklist to DES. The amended checklist reflects all of the requirements of 40 CFR 265.15. No further action is required.

2. Env-Wm 509.02(a)(5) - Contingency Plan

A review of Enthone's contingency plan revealed deficiencies regarding the following

The home and office addresses of the primary and alternate emergency coordinators;

- b. A listing of specific information to include when notifying either the local fire chief or the National Response Center; and
- c. Instructions to notify local authorities that the facility is in compliance with 40 CFR 265.56(h)(1) & (2) before resumption of activities.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requests that Enthone revise and update its contingency plan to correct the deficiencies listed above.

On October 24, 2002, Ms. Carolyn Perez submitted the requested contingency plan corrections. No further action is required.

3. Env-Wm 509.02(a)(6) – Use and Management of Containers

A review of Enthone's hazardous waste storage area inspection records revealed that inspections were performed monthly from November 2000 to April 2002.

Env-Wm 509.02(a)(6), which references 40 CFR 265 Subpart I, requires generators to inspect areas where containers are stored at least weekly, looking for leaks and for deterioration caused by corrosion or other factors.

DES requests that Enthone conduct inspections of areas where containers are stored at least weekly.

DES acknowledges that Enthone is currently conducting inspections on a weekly basis. No further action is required.

4. Env-Wm 509.02(b) Emergency Posting

At the time of inspection the emergency posting at the nearest telephone to the hazardous waste storage area failed to document the location of fire extinguishers and spill control material.

Env-Wm 509.02(b) requires that full quantity generators shall post a list of the steps to take if an emergency occurs and the following emergency numbers at the nearest telephone to the hazardous waste storage area:

- a. The emergency coordinators (home and office);
- b. The fire department, police department, and State of New Hampshire and local emergency response teams that may be called upon to provide emergency services, unless the facility has a 24-hour response team designated to provide emergency services whose number is posted; and
- c. The location of fire extinguishers and spill control material, and if present, fire and internal emergency alarms.

DES requests that Enthone post the required information at the nearest telephone to the hazardous waste storage.

On October 24, 2002, Ms. Carolyn Perez submitted an amended emergency posting to DES. The amended emergency posting reflects all of the requirements of Env-Wm 509.02(b). No further action is required.

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of documents that corroborate the corrective measures taken by Enthone to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may re-inspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during subsequent inspections of the facility.

Enclosed please find a completed copy of the Hazardous Waste Generator RCRA Inspection Checklist to assist you in assessing the noted violations. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh/us/hwcs> or by contacting the Public Information Center at (603) 271-2975.


It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline, which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets on specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy

or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The hotline is available Monday through Friday, 8:00 AM to 4:00 PM at 271-2942.

If you believe that the deficiencies documented in this NOPV have been cited in error, or if you have any questions regarding this matter, please contact the lead inspector, Robert Bishop, Waste Management Specialist, or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section, at 271-2942. Specific questions regarding water related issues may be directed to Sharon Ducharme of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,


COPY
Kenneth W. Marschner, Administrator
Waste Management Programs
Waste Management Division

cc: DB/RCRA/NOPV/Archive
Philip J. O'Brien, Ph.D., P.G., Director, WMD
Gretchen Rule, DES Administrator, Legal Unit
Carolyn Perez, Compliance Manager, Enthone, Inc.

E mail: JJD, SD, SD, PM

Enclosure: Hazardous Waste Generator RCRA Inspection Checklist